

CHAPTER 6

**ESTABLISHMENT OF ZONES**

SECTION:

- 9-6-1: Zones
- 9-6-2: Established Map
- 9-6-3: Regulations
- 9-6-4: Interpretation Of Boundaries
- 9-6-5: Conformity And General Intent

9-6-1: **ZONES ESTABLISHED:** In order to accomplish more fully the objectives and purpose of this title, Cassia County, Idaho is hereby divided into zones which shall be known by symbols and/or names as follows:

<u>Short Title</u>	<u>Zone</u>
RA	Residential agricultural zone
AR	Agricultural residential zone
AP	Prime agricultural zone
MU	Multiple use zone
HP	Historical preservation zone
IC	Industrial commercial zone
B1	Albion city impact area buffer zone
B2	Burley city impact area buffer zone
B3	Declo city impact area buffer zone
B4	Malta city impact area buffer zone
B5	Oakley city impact area buffer zone
OR	Outdoor recreational zone
EO	Electrical Transmission Corridor Overlay Zone

(Ord. 99-10-2, 10-18-1999, 01-01-2010)

9-6-2

9-6-4

9-6-2: **MAP:** The location boundaries of each of the zones are shown on the Cassia County zoning map, and all boundaries, notations and other data as shown thereon are as much a part of this title as if fully described herein.

The zoning map shall be identified by the signature of the chairman of the board of county commissioners, attested by the clerk, and shall bear the following words:

*I hereby certify that this is the official Cassia County Zoning Map which was adopted by the Board of County Commissioners of Cassia County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.*

(Ord. 93-6-1, 6-28-1993, 7-20-09, 2-22-10; amd. Ord. 2011-08-01, 8-25-2011.)

9-6-3: **REGULATIONS:** Within each of the zones, the height, number of stories, and the size of buildings and structures, and percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes are hereby regulated and restricted as set forth in this title or as such may be amended. (Ord. 93-6-1, 6-28-1993)

9-6-4: **INTERPRETATION OF BOUNDARIES:** Where uncertainty exists with respect to the boundaries of zones, the following rules shall apply:

- A. Survey Lines: When the indicated boundaries of the zoning map are approximately street or land survey lines, said street or land survey lines shall be construed to be the zone boundaries.
- B. Watercourses And Natural Features: Where the indicated boundaries are approximately along the lines of canals, natural streams, watercourses, or natural features, such lines shall be construed to be the zone boundaries.
- C. Absence Of Natural Features: In the absence of any street, land survey, canal, natural stream, watercourse or other natural feature or measurement as forming the boundaries of any zone, the scale of measurement shown on the map shall be used to determine the zone boundary lines.

- D. Vacated Streets: Whenever a street is vacated, and that street has not been given a zone classification, the land of the vacated street shall have the same zone classification as the land adjacent or abutting land owned or on the same side of the centerline of former street to whom such land reverts or in whom said land becomes vested by operation of law or otherwise.
- E. Parcels Not Classified: In every case where small parcels of territory have not been specifically included within a district through errors in legal description, or where territory becomes a part of the unincorporated area of Cassia County by the disincorporation of any city, such territory shall automatically retain its existing use classification, until otherwise classified, but not to exceed a period of six (6) months following discovery.
- F. Conflict: In case of a conflict between the text and the maps of this said title, the maps shall prevail. In case of a conflict between the provisions of the various sections of the text of this title, the most stringent provisions shall prevail.
- G. Interpretation By Commission: Where other uncertainty exists, the planning and zoning commission shall interpret the map. (Ord. 97-12-1, 12-15-1997; amd. 2003 Code)

9-6-5: **CONFORMITY AND GENERAL INTENT:** Except as otherwise provided herein, land, buildings, and premises in any zone shall hereafter be used only in accordance with the regulations herein established for that zone and the following general provisions:

- A. Height, Coverage And Yards: No building shall hereafter be erected, constructed, relocated or structurally altered to have a greater height, proportion of coverage or smaller yards or open spaces about it than permissible under the limitations set forth herein for the district in which such buildings are located.
- B. Minimum Yards, Parking: No yards, open spaces or off street parking space or loading space existing or provided hereafter about any building shall be reduced below the minimum requirements hereinafter set forth for such open space, parking space or loading space, or further reduced if already less than said minimum requirements.

- C. Required Space To Serve One Lot Only: No open space, yard or off street parking space or loading space existing or hereafter provided for a building or use and necessary to meet or partially meet the requirements of this title shall be considered as all or part of the yard, open space, off street parking space or loading space required for any other building or upon any other lot.
- D. Reduction Of Lot: No lot held under one ownership at the effective date hereof shall be reduced in dimension or area in relation to any building thereon so as to be smaller than required by this title, and if already less, the dimension or area of such lot shall not be further reduced.
- E. Easements: If any development, building or structure shall be over any recorded easement, a letter of approval from the grantee of said easement must be submitted with the plan specifying that said development, building or structure does not infringe upon said easement.
- F. Facilities And Uses In Residential Areas: No facilities or use can be permitted in residential areas unless it is clearly demonstrated that the proposed use will not result in smoke, dirt, litter, smog, vibrations, air or water pollution, excessive noise or offensive odors beyond the limits of the facility. (Ord. 93-6-1, 6-28-1993)